Remarks

Reconsideration of the application and allowance of all pending claims are respectfully requested. Claims 1 and 4-72 remain pending.

Applicants respectfully request that the Examiner carefully consider the remarks presented herewith.

In the Office Action, dated May 13, 2004, claims 1, 4-7, 12-21, 23-29, 34-43, 45-55, 60-69 and 71-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen et al. (U.S. Patent No. 6,330,605) in view of Freund (U.S. Patent No. 5,987,611). Applicants respectfully, but most strenuously, traverse this rejection for the reasons below.

Applicants' invention is directed, in one aspect, to providing ordered lists of service addresses to client nodes to enable those client nodes to access a service associated with those service addresses. Each ordered list is specifically ordered for a particular client node based on one or more characteristics of that client node. Thus, different client nodes are given differing ordered lists to diversify how the client nodes access the particular service. This provides load balancing among various client nodes.

As one example, in independent claim 1, applicants claim a method of providing ordered lists of service addresses. The method includes, for instance, creating an ordered list of service addresses to be used by a client node of a computing environment to reach a service of the computing environment, the creating using a predefined equation to order a plurality of service addresses having the same ordering criterion, the predefined equation balancing use of the plurality of service addresses among the client node and at least one other client node of the computing environment; and using the ordered list by the client node to reach the service, wherein the ordered list is ordered specifically for the client node based on one or more characteristics of the client node. Thus, in applicants' claimed invention, an ordered list of service addresses is created for use by a client node and that ordered list is created in such a way as to balance the use of service addresses among different client nodes. The ordered list of service addresses is created for a particular client node and is specifically ordered for that client

node based on one or more characteristics of the client node. This is very different from the teachings of Christensen and Freund, either alone or in combination.

For instance, Christensen does not describe, teach or suggest creating an ordered list of addresses for a client node, in which the list is specifically ordered for that client node based on one or more characteristics of that client node. There is no such teaching or suggestion in Christensen. The failure of Christensen to teach or suggest this claimed element is specifically indicated in the Office Action. In particular, the Office Action states: "Christensen does not explicitly teach wherein said ordered list is ordered specifically for said client node based on one or more characteristics of said client node." Thus, Freund is relied upon. However, applicants respectfully submit that Freund does not overcome the deficiencies of Christensen.

As one example, Freund does not describe, teach or suggest creating an ordered list of service addresses for a particular client node in which the list is created for that node based on one or more characteristics of that node. There is no teaching or suggestion in Freund of creating any list based on node characteristics. Instead, Freund is concerned with creating access rules for a particular user. Thus, any lists in Freund are based on user characteristics, as opposed to node characteristics.

To further explain, Freund describes a system for managing internet access on a per application or per user basis. That is, the rules in Freund are created to govern what a particular user is allowed to access. This is explicitly stated in Freund. For example, in the Abstract, it is stated:

> Access rules which can be defined can specify criteria such as total time a **user** can be connected to the Internet..., time a **user** can interactively use the Internet..., a list of applications or application versions that a **user** can or cannot use in order to access the Internet, a list of URLs (or WAN addresses) that a **user application** can (or cannot) access, a list of protocols or protocol components... that a **user application** can or cannot use, and rules to determine what events should be logged.... (emphasis added)

Freund goes on further to state: "With this information, the system can determine if a particular process in question should have access to the Internet and what kind of access... is permissible for the given specific user." Thus, Freund specifically describes managing internet

access on per application or per user basis. There is no indication in Freund of creating a list of addresses based on the characteristics of the node in which the users are running. Each of the rules in Freund is based on what a particular user is allowed to do and not based on the characteristics of the node. For instance, the geographic location of the node is not taken into consideration in creating these access rules. Instead, the rules are based on the identity of the user. Thus, Freund fails to describe, teach or suggest at least applicants' claimed element of creating an ordered list of service addresses for a client node based on one or more characteristics of the client node.

The Office Action cites the Abstract of Freund as support for the rejection. In particular, the Office Action states: "(see abstract: Access rules can be defined by...a list of URLs (or WAN addresses) that a user application can (or cannot) use...." Applicants respectfully submit that the mention of a list of URLs or addresses is not a teaching of creating a list of service addresses for a client node based on characteristics of that node. Freund merely teaches that access to the internet may be controlled for individual users. The list of URLs or addresses that are included in the access rules are just those addresses that a particular user is allowed to access. At the most, those lists are specific to a particular user. The teaching of a user specific access list is not a teaching or suggestion of creating an ordered list of service addresses for a particular client node based on characteristics of that node. There is no discussion in the Abstract or other sections of Freund of using the particular characteristics of a node in creating the ordered list of service addresses for that node. Freund is simply silent as to this feature.

Again, the teaching of providing access rules for a specific user is very different from creating a list of service addresses for a particular client node based on the characteristics of that node. It is not the characteristics of the node that is considered in Freund, but yet the particular user. There may be many users executing on a single node in Freund and each user may have different permissions. Thus, it is the identity of the user and not the characteristics of the node that is considered in Freund when providing access to the internet. Thus, Freund fails to describe, teach or suggest at least applicants' claimed element of creating a list of service addresses for a particular node based on characteristics of that node.

Since both Christensen and Freund fail to describe, teach or suggest at least this aspect of applicants' claimed invention, applicants' claimed invention is not obvious over the combination of Christensen and Freund. Based on the foregoing, applicants respectfully request an indication of allowability for claim 1, as well as the other independent claims.

The dependent claims are allowable for the same reasons as the independent claims, as well as for their own additional features. For example, claim 4 specifically indicates that the ordering criteria comprises distance from the client node to a plurality of servers corresponding to the plurality of service addresses. Since it is admitted in the Office Action that Christensen fails to teach or suggest creating an ordered list of service addresses wherein the ordered list is ordered specifically for the client node based on one or more characteristics of that client node, it follows that Christensen also fails to teach or suggest that the ordering criterion comprises distance from a client node to a plurality of servers.

Support for the rejection of this claim is indicated in Christensen at Col. 6, lines 13-15. However, applicants respectfully submit that the cited section does not teach or suggest applicants' claimed element. That section merely states that a log provides an indication of geography with respect to the location of the highest concentration of users. There is no teaching or suggestion in that paragraph or anywhere else in Christensen of creating an ordered list of service addresses wherein the ordered list is ordered specifically for the client node based on one or more characteristics of that client node and that the creating uses a predefined equation having an ordering criterion of distance from the client node to a plurality of servers. This is simply missing from Christensen. Further, Freund does not overcome the deficiencies of Christensen.

Based on the foregoing, applicants respectfully submit that dependent claim 4, as well as other similar dependent claims, are patentable over the combination of Christensen and Freund.

For all of the above reasons, applicants respectfully request an indication of allowability for all pending claims. Applicants gratefully acknowledge the indication of allowance for claims 8-11, 22, 30-33, 44, 56-59 and 70.

Should the Examiner wish to discuss this case with applicants' attorney, please contact applicants' attorney at the below listed number.

Respectfully submitted,

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